

## FIFTEENTH DAY.-

(Continued.)

(Tuesday, February 10, 1931.)

The House met at 10 o'clock a. m., and was called to order by Speaker Minor.

## HOUSE BILL NO. 42 ON PASSAGE TO ENGROSSMENT.

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 42, A bill to be entitled "An Act to amend Article 2203 of Chapter 8 of Title 42 of the Revised Civil Statutes of Texas, 1925, relating to the verdict of juries in civil cases, so as to provide that in the trial of civil cases nine members of the jury concurring may render a verdict in the district court and five jurors concurring may render a verdict in the county court, county courts at law and courts of justices of the peace, and repealing all laws in conflict herewith, and declaring an emergency."

The bill having been read second time on yesterday, with amendment by Mr. Hardy and substitute by Mr. Van Zandt for the amendment pending.

(Pending consideration of the amendments, Mr. McGill occupied the chair temporarily.)

On motion of Mr. Van Zandt, by unanimous consent the words "six hours" in the substitute amendment were changed to "twelve hours," and the words "county courts" and "county courts at law" were stricken from the amendment.

Mr. Hardy, by unanimous consent, withdrew the pending amendment.

Question recurring on the amendment by Mr. Van Zandt, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—77.

Adams of Jasper.	Carpenter.
Adamson.	Caven.
Albritton.	Claunch.
Alsup.	Coltrin.
Barron.	Cox of Limestone.
Bond.	Cunningham.
Boyd.	Dale.
Brooks.	DeWolfe.
Burns of Walker.	Dodd.
Burns	Donnell.
of McCulloch.	Dowell.

Elliott.	Lemens.
Engelhard.	Long.
Farrar.	McGill.
Ferguson.	Mehl.
Forbes.	Metcalfe.
Ford.	Moore.
Fuchs.	Munson.
Gilbert.	Murphy.
Giles.	O'Quinn.
Goodman.	Ramsey.
Graves.	Reader.
Grogan.	Rountree.
Hardy.	Sanders.
Harman.	Satterwhite.
Harrison	Shelton.
of El Paso.	Sherrill.
Hatchitt.	Smith of Wood.
Hefley.	Sparkman.
Hill.	Stephens.
Hines.	Stevenson.
Holland.	Steward.
Hubbard.	Strong.
Jackson.	Sullivant.
Johnson	Turner.
of Dallam.	Van Zandt.
Johnson	Vaughan.
of Dimmit.	Warwick.
Johnson of Morris.	West of Coryell.
Jones of Shelby.	Young.
Laird.	

## Nays—47.

Adams of Harris.	Lee.
Adkins.	Lilley.
Akin.	Lockhart.
Baker.	McCombs.
Beck.	McDougald.
Bedford.	Magee.
Bounds.	McGregor.
Brice.	Mathis.
Bryant.	Morse.
Coombes.	Olsen.
Cox of Lamar.	Patterson.
Daniel.	Ratliff.
Davis.	Richardson.
Farmer.	Savage.
Fisher.	Smith of Bastrop.
Greathouse.	Tarwater.
Harrison	Terrell
of Waller.	of Cherokee.
Herzik.	Terrell
Holder.	of Val Verde.
Holloway.	Towery.
Howsley.	Veatch.
Jones of Atascosa.	Wagstaff.
Justiss.	Walker.
Kennedy.	Wyatt.

## Present—Not Voting.

Rogers.

## Absent.

Anderson.	Hanson.
Dunlap.	Hoskins.
Dwyer.	Hughes.
Finn.	Keller.

Lasseter.	Ray.
Leonard.	Weinert.
Moffett.	West of Cameron.
Nicholson.	Westbrook.
Petsch.	

Absent—Excused.

Bradley.	Pope.
Duvall.	Scott.
Kayton.	Wiggs.
Martin.	

Mr. McCombs offered the following amendment to the bill:

Amend House bill No. 42 by striking out the following words which occur in lines 26, 27 and 28: "and in the trial of civil cases in the county courts, county courts at law and courts of justices of the peace, five jurors concurring may render a verdict."

The amendment was adopted.

Mr. Savage offered the following amendment to the bill:

Amend House bill No. 42 by changing the words "nine" in lines 11 and 25 of page 1, to "ten."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—77.

Adams of Jasper.	Hardy.
Adamson.	Harman.
Adkins.	Harrison
Albritton.	of El Paso.
Alsup.	Harrison
Anderson.	of Waller.
Baker.	Hefley.
Barron.	Herzik.
Beck.	Hill.
Bond.	Hines.
Boyd.	Hubbard.
Brice.	Johnson
Brooks.	of Dimmit.
Bryant.	Johnson of Morris.
Carpenter.	Jones of Shelby.
Caven.	Kayton.
Claunch.	Keller.
Coombes.	Kennedy.
Dale.	Lilley.
Daniel.	McCombs.
DeWolfe.	McGregor.
Dodd.	Magee.
Elliott.	Mathis.
Engelhard.	Mehl.
Farrar.	Moore.
Ford.	Morse.
Gilbert.	Murphy.
Goodman.	Nicholson.
Graves.	Olsen.
Greathouse.	O'Quinn.
Grogan.	Patterson.

Pope.	Strong.
Reader.	Turner.
Rogers.	Vaughan.
Sanders.	Veatch.
Savage.	Wagstaff.
Smith of Wood.	Walker.
Stephens.	Weinert.
Stevenson.	West of Coryell.
Steward.	Wiggs.

Nays—44.

Adams of Harris.	Johnson
Akin.	of Dallam.
Bedford.	Jones of Atascosa.
Bounds.	Justiss.
Burns	Laird.
of McCulloch.	Lee.
Coltrin.	Lemens.
Cox of Lamar.	Lockhart.
Cox of Limestone.	McDougald.
Cunningham.	McGill.
Davis.	Metcalfe.
Donnell.	Munson.
Dowell.	Richardson.
Farmer.	Rountree.
Ferguson.	Satterwhite.
Fisher.	Shelton.
Forbes.	Smith of Bastrop.
Fuchs.	Sparkman.
Giles.	Sullivant.
Hatchitt.	Tarwater.
Holland.	Terrell
Holloway.	of Cherokee.
Jackson.	Van Zandt.
	Wyatt.

Absent.

Burns of Walker.	Petsch.
Dunlap.	Ramsey.
Dwyer.	Ratliff.
Finn.	Ray.
Hanson.	Sherrill.
Holder.	Terrell
Hoskins.	of Val Verde.
Howsley.	Towery.
Hughes.	Warwick.
Lasseter	West of Cameron.
Leonard.	Westbrook.
Long.	Young.
Moffett.	

Absent—Excused.

Bradley.	Martin.
Duvall.	Scott.

Question: Shall the bill pass to engrossment?

ADDRESS BY THE HON. J. HAMILTON LEWIS.

Mr. Sanders offered the following resolution:

Whereas, The Hon. J. Hamilton Lewis, United States Senator-elect of the State of Illinois, is a guest in the city of Austin; and

Whereas, The Senate has invited him to address them at 11 o'clock; therefore, be it

Resolved, That the House of Representatives join the Senate in this invitation to the Hon. J. Hamilton Lewis, and that he be requested to address the House of Representatives and the Senate of Texas in the House of Representatives at 10:45 a. m. on Tuesday, February 10, 1931.

Signed—Sanders, Murphy, Young, Howsley, Ratliff.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to arrange for the joint session and to escort Hon. J. Hamilton Lewis and party to the Speaker's stand:

Messrs. Sanders, Murphy, Young, Howsley, Ratliff, and members of the House who are Spanish-American War veterans.

At 11 o'clock a. m. the Honorable Senate, escorted by Hon. Carl C. Hardin, President Pro Tempore of the Senate, and Bob Barker, Secretary of the Senate, appeared at the bar of the House and, being admitted, occupied seats prepared for them along the aisle.

Hon. J. Hamilton Lewis, Hon. Ross Sterling, and Lieutenant Governor Edgar Witt escorted by the following committees: Senators Purl, Parrish, Woodward and Thomason, on the part of the Senate, and Messrs. Sanders, Murphy, Young, Howsley, Ratliff, and members of the House who are Spanish-American War Veterans, on the part of the House, appeared at the bar of the House and, being duly admitted, occupied seats on the Speaker's stand.

Lieutenant Governor Witt occupied a seat on the right of the Speaker.

The Lieutenant Governor and the Speaker, respectively, announced that the two Houses were in joint session for the purpose of hearing an address by Hon. J. Hamilton Lewis, United States Senator from Illinois.

Lieutenant Governor Witt presented Senator George Purl, who introduced Senator Lewis.

Senator Lewis then addressed the joint session and the assemblage.

Lieutenant Governor Witt then addressed the joint session and thanked Senator Lewis, on behalf of the House and Senate, for his address.

The Senate then retired to its Chamber.

## SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 16, to the Committee on Conservation and Reclamation.

Senate bill No. 39, to the Committee on Highways and Motor Traffic.

Senate bill No. 46, to the Committee on State Affairs.

Senate bill No. 84, to the Committee on Education.

Senate bill No. 148, to the Committee on Judiciary.

Senate bill No. 152, to the Committee on Highways and Motor Traffic.

Senate bill No. 157, to the Committee on Education.

Senate bill No. 158, to the Committee on Education.

## RECESS.

Mr. Keller moved that the House adjourn until 10 o'clock a. m. tomorrow.

Mr. Anderson moved that the House recess to 10 o'clock a. m. tomorrow.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

### Yeas—32.

Adkins.	Lilley.
Baker.	McDougald.
Beck.	Mehl.
Dodd.	Munson.
Farmer.	Olsen.
Fisher.	Pope.
Forbes.	Ray.
Goodman.	Reader.
Greathouse.	Stevenson.
Hatchitt.	Terrell
Harrison	of Cherokee.
of Waller.	Terrell
Herzik.	of Val Verde.
Justiss.	Vaughan.
Keller.	Wagstaff.
Laird.	Weinert.
Lemens.	Wiggs.
Leonard.	

### Nays—77.

Adams of Harris.	Bedford.
Adams of Jasper.	Bond.
Adamson.	Bounds.
Akin.	Boyd.
Albritton.	Brooks.
Alsop.	Bryant.

Burns of Walker.	Kennedy.
Burns	Lee.
of McCulloch.	Lockhart.
Carpenter.	McGill.
Claunch.	McGregor.
Coltrin.	Magee.
Coombes.	Mathis.
Cunningham.	Metcalfe.
Davis.	Moffett.
DeWolfe.	Moore.
Donnell.	Murphy.
Dowell.	O'Quinn.
Dunlap.	Ramsey.
Dwyer.	Ratliff.
Elliott.	Rogers.
Engelhard.	Rountree.
Ferguson.	Sanders.
Ford.	Savage.
Giles.	Shelton.
Grogan.	Sherrill.
Hanson.	Smith of Bastrop.
Harman.	Smith of Wood.
Harrison	Sparkman.
of El Paso.	Strong.
Hefley.	Sullivant.
Holder.	Tarwater.
Holland.	Towery.
Holloway.	Turner.
Jackson.	Van Zandt.
Johnson	Walker.
of Dallam.	West of Coryell.
Johnson of Morris.	West of Cameron.
Jones of Atascosa.	Wyatt.
Kayton.	Young.

## Absent.

Anderson.	Hughes.
Barron.	Johnson
Brice.	of Dimmit.
Caven.	Jones of Shelby.
Cox of Lamar.	Lasseter.
Cox of Limestone.	Long.
Dale.	McCombs.
Daniel.	Morse.
Farrar.	Nicholson.
Finn.	Patterson.
Fuchs.	Petsch.
Gilbert.	Richardson.
Graves.	Satterwhite.
Hardy.	Stephens.
Hill.	Steward.
Hines.	Veatch.
Hoskins.	Warwick.
Howsley.	Westbrook.
Hubbard.	

## Absent—Excused.

Bradley.	Martin.
Duvall.	Scott.

Question then recurring on the motion to recess, it prevailed, and the House, accordingly, at 12:10 o'clock p. m., took recess to 10 o'clock a. m. tomorrow.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Judiciary: House bills Nos. 316 and 319.

Conservation and Reclamation: House bill No. 436.

## FIFTEENTH DAY.

(Continued.)

(Wednesday, February 11, 1931.)

The House met at 10 o'clock a. m., and was called to order by Speaker Minor.

## BILLS ORDERED NOT PRINTED.

On motion of Mr. Harman, by unanimous consent, House bill No. 365 was ordered not printed.

On motion of Mr. Lilley, by unanimous consent, House bill No. 206 was ordered not printed.

On motion of Mr. Van Zandt, by unanimous consent, House bill No. 395 was ordered not printed.

## BILL RE-REFERRED.

On motion of Mr. Adkins, by unanimous consent, House bill No. 474 was withdrawn from the Committee on State Affairs and referred to the Committee on Public Lands and Buildings.

## TO INVITE BOY SCOUTS TO VISIT HOUSE OF REPRESENTATIVES.

Mr. Holder (by unanimous consent) offered the following resolution:

Whereas, This week is the birthday week of the Boy Scouts of America; and

Whereas, That great institution has had such a wonderful part in forming the characters, and developing the minds, and in maintaining the bodies, and improving the spirits of young Americans; and

Whereas, The effect of this great organization has resulted in a better citizenship, greater revelation of patriotism to our nation, to our State, and to our communities; therefore, be it